

3700

JC05 Rec'd PCT/PTO 7 3 JUL 2001

PCT



Practitioner's Docket No. 776-009999-US(PAR)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: SINDERBY et al.

Serial No.: 09/701,824

Group No.: 3735

Filed:

Examiner:

For: PROPORTIONAL PRESSURE ASSIST VENTILATION CONTROLLED BY A DIAPHRAGM ELECTROMYOGRAPHIC SIGNAL

Assistant Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR CORRECTED FILING RECEIPT

1. Attached is a copy of the official filing receipt received from the PTO in the above application for which issuance of a corrected filing receipt is respectfully requested.

2. There is an error with respect to the following data, which is:

X Incorrectly entered

and/or

☐ Omitted.

Error in

Correct data

1. ☐ Applicant's name
2. ☐ Applicant's address
3. ☐ Title
4. X Filing Date
5. ☐ Serial Number
6. ☐ Foreign/PCT Re:
7. ☐ Other

- 1.
- 2.
- 3.
4. see page 2
- 5.
- 6.
- 7.

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AUG 16 2001

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CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office

Date: 7/11/01

Signature

DEBORAH J. CLARK

(type or print name of person certifying)
(Request for Corrected Filing Receipt [5-8])

- X The Filing Date was entered incorrectly. We have enclosed herewith a copy of the "Notification of Acceptance of Application" showing the correct filing date to be:

31 MAY 2001

3. (complete the following applicable item)

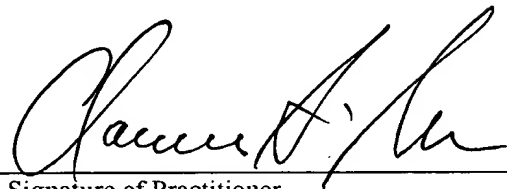
- A. X The correction(s) is/are not due to any error by applicant and no fee is due.

OR

- B. ☐ At least one of the above corrections is due to applicant's error and the fee therefor, under 37 C.F.R. 1.19(h), of \$25.00 is paid as follows:

☐ Enclosed is check for \$25.00

☐ Charge Account _____ \$25.00



Signature of Practitioner

Reg. No.: 24,622

Clarence A. Green

(type or print name of practitioner)

Tel. No.: (203) 259-1800

PERMAN & GREEN, LLP

425 Post Road

P.O. Address

Customer No.: 2512

Fairfield, CT 06430

(Request for Corrected Filing Receipt [5-8]-page 2 of 2)



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JUN 25 2001

PERMAN AND GREEN LLP

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UNITED STATES PATENT AND TRADEMARK OFFICE
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/701,824	03/31/2001	3735	966	776-009999- U	10	59	6

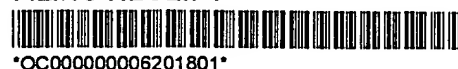
2512 CAG
PERMAN & GREEN
425 POST ROAD
FAIRFIELD, CT 06430

May 31, 2001

*see notice of
acceptance attached*

CONFIRMATION NO. 9202

FILING RECEIPT



OC000000006201801

Date Mailed: 06/19/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Christer Sinderby, Quebec, CANADA;
Jennifer Beck, Quebec, CANADA;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A 371 OF PCT/CA99/00529 06/04/1999

Foreign Applications

CANADA 2,239,673 06/04/1998

Projected Publication Date: N/A

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Proportional pressure assist ventilation controlled by a diaphragm electromyographic signal

Preliminary Class

128

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Data entry by : ORDENEZ, MARTA

Team : OIPE

Date: 06/19/2001

[REDACTED]



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Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

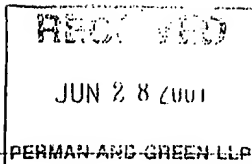
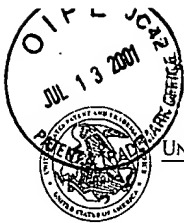
PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

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Washington, DC 20231

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PERMAN AND GREEN LLP

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
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U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/701824	SINDERBY	C 776-009999-U
INTERNATIONAL APPLICATION NO.		

CLARENCE A GREEN
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425 POST ROAD
FAIRFIELD, CT 06430

PCT/CA99/00529

I.A. FILING DATE	PRIORITY DATE
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04 JUN 99

04 JUN 98

JUN 2001

DATE MAILED:

**NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371
AND 37 CFR 1.494 OR 1.495**

1. The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as ☐ a Designated Office (37 CFR 1.494), ☒ an Elected Office (37 CFR 1.495), has determined that the above-identified international application has met the requirements of 35 U.S.C. 371, and is **ACCEPTED** for national patentability examination in the United States Patent and Trademark Office.

2. The United States Application Number assigned to the application is shown above and the relevant dates are:

MAY 31, 2001	MAY 31, 2001
DATE OF RECEIPT OF	DATE OF RECEIPT OF ALL
35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE "FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.**

The filing date of the above-identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

3. ☒ A request for immediate examination under 35 U.S.C. 371(f) was received on DEC. 04, 2000 and the application will be examined in turn.

4. The following items have been received:

- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application.
- ☐ Translation of the international application into English.
- ☒ Oath or Declaration of inventor(s).
- ☐ Copy of Article 19 amendments. ☐ Translation of Article 19 amendments into English.
The Article 19 amendments ☐ have ☐ not been entered.
- ☒ The International Preliminary Examination Report in English and its Annexes, if any.
- ☒ Copy of the Annexes to the International Preliminary Examination Report (IPER).
☐ Translation of Annexes to the IPER into English.
The Annexes ☒ have ☐ not been entered.
- ☒ Preliminary amendment(s) filed DEC. 04, 2000 and _____
- ☒ Information Disclosure Statement(s) filed MAR. 02, 2001 and _____
- ☐ Assignment document.
- ☒ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed _____
- ☒ Indication of Small Entity Status.
- ☒ Priority Document.
- ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
- ☒ Other: PCT/RO/101 & Extension of Time

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

Barbara A. Campbell

Telephone: 703-305-3631